

Order

28.06.2019

Counsel for the appellant and Mr. Muhammad Jan, DDA alongwith Mr. M. Farooq, Inspector for respondents present. Arguments heard and record perused.

This appeal is also accepted as per detailed judgment of today placed on file in service appeal No. 63/2019 titled "Kifayatulah Khan-vs- Inspector General of Police, Khyber Pakhtunkhwa Peshawar and three others." Parties are left to bear their own cost. File be consigned to the record room.

Announced:
28.06.2019



(Ahmad Hassan)
Member



(Muhammad Amin Khan Kundi)
Member

12.04.2019

Counsel for the appellant and Addl. AG alongwith
Yaqub Khan, H.C for the respondents present.

Representative of respondents has submitted
reply on behalf of all the respondents. The same is
placed on record. To come up for arguments before
the D.B on 09.05.2019. The appellant may furnish
rejoinder within a fortnight, if so advised.


Chairman

09.05.2019

Learned counsel for the appellant and Mr. Kabirullah
Khattak learned Additional Advocate General for the
respondents present. The learned Member (Executive) Mr.
Hussain Shah is on leave, therefore, the bench is
incomplete. Adjourned to 13.06.2019 for arguments before
D.B.


(Muhammad Amin Khan Kundi)
Member

13.06.2019

Counsel for the appellant and Mr. Muhammad Jan, Deputy
District Attorney alongwith Mr. Muhammad Farooq, Inspector
(Legal) for the respondents present. Arguments heard. To come up
for order on 28.06.2019.


(AHMAD HASSAN)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

12.02.2019

Learned counsel for the appellant present. Preliminary arguments heard.

The appellant has filed the present service appeal against the adverse remarks in ACR pertaining to the period w.e.f 28.04.2017 to 31.12.2017. The appellant has also challenged the order dated 25.10.2018 through which his departmental appeal was rejected and against the order dated 06.12.2018 issued upon the mercy petition of the appellant.

Points raised need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to the respondents for written reply. To come up for written reply/comments on 26.03.2019 before S.B.

Appellant Deposited
Security & Process Fee


Member

26.03.2019


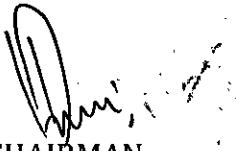
Learned counsel for the appellant present. Written reply not submitted. Asghar H.C representative of the respondent department present and seeks time to furnish written reply/comments. Granted. To come up for written reply/comments on 12.04.2019 before S.B.


Member

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 44/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	11/1/2019	<p style="text-align: center;">The appeal of Mr. Sibghat Ullah resubmitted today by Naila Jan Advocate, may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 11/1/19</p>
2-	16-1-19	<p style="text-align: center;">This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>12-2-19</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Sibghatullah Senior Clerk DPO Office Bannu received today i.e. on 07.01.2019 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- ✓ 1- Memorandum of appeal may be got signed by the appellant.
- ✓ 2- Annexures of the appeal may be flagged.
- ✓ 3- Annexures of the appeal may be attested.
- ✓ 4- Affidavit may be got attested by the Oath Commissioner.
- ✓ 5- Copy of First departmental appeal in respect of appellant mentioned in para-5 of the memo of appeal is not attached with the appeal which may be placed on it.
- ✓ 6- Copy of second departmental appeal dated 25.10.2018 mentioned in para-6 of the memo of appeal is not attached with the appeal which may be placed on it.
- ✓ 7- Annexures of the appeal are not in sequence which may be annexed serial wise as mentioned in the memo of appeal.
- ✓ 8- Six more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 49 /S.T,

Dt. 8-1- /2019.

8/1/19
REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Naila Jan Adv. Peshawar.

*and Resubmitted
above removed all the
appeal mentions objections.
appellant has been signed by me
has been flagged.
also attested and also submitted
Six more copies.*

*Naila Jan
11/1/2019*

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR**

S.A. 44 /2019

Sibghat Ullah

VERSUS

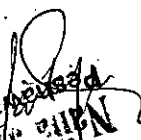
Inspector General of Police Khyber Pakhtunkhwa and
others

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Appellant

Through


Naila Jan
Advocate, High Court
Peshawar

Dated: 07/01/2019

Advocate, High Court
Peshawar.

①

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR**

Khyber Pakhtukhwa
Service Tribunal

S.A. 44 /2019

Diary No. 34
Dated 07-1-2019

Sibghat Ullah, Senior Clerk, DPO Office Bannu.

-----*(Appellant)*

VERSUS

1. Inspector General of Police Khyber Pakhtunkhwa Peshawar.
2. Additional Inspector General Establish Khyber Pakhtunkhwa Peshawar.
3. Regional Police officer Bannu Region Bannu.
4. District Police officer Bannu.

-----*(Respondents)*

Filed to-day
Registrar
21/1/19

Re-submitted to -day
and filed.

Registrar

Naila Jan Advocate
Peshawar High Court

**APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA SERVICES TRIBUNAL
ACT, 1974 AGAINST THE ADVERSE
REMARKS FOR THE PERIOD W.E.F
28/04/2017 TO 31/12/2017 COMMUNICATED
VIDE LETTER DATED 03/07/2018 AND
ORDER DATED 25/10/2018 WHEREBY
DEPARTMENTAL APPEAL OF THE
APPELLANT WAS REJECTED AND ORDER
DATED 06/12/2018 WHEREBY MERCY
PETITION OF THE APPELLANT WAS
REJECTED FOR NO GROUNDS.**

PRAYERS:-

ON ACCEPTANCE OF THE INSTANT APPEAL
THE IMPUGNED ORDERS DATED 03/07/2018,
25/10/2018 AND ORDER DATED, 06/12/2018
MAY KINDLY BE SET ASIDE AND THE
ADVERSE REMARKS MAY KINDLY BE
EXPUNGED IN THE BEST INTEREST OF
JUSTICE.

Respectfully Sheweth,

The appellant submits as under:-

1. That the appellant was appointed on 30/10/1989 and since his appointed the appellant performed his duty with great zeal and zeast and enthusiasm and there was no complaint what so ever against the appellant.

Naila Jan Advocate
Peshawar High Court



That due to his outstanding service record and devotion towards his duties.

3. That though the service cases of the appellant the appellant was never given any adverse ACR which shows the

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outstanding and unblemished service of the appellant.

4. That the appellant was surprised to receive the ACR for the period from 28/04/2017 to 31/12/2017 vide letter No.2583/18 dated 03/07/2018 which is based on malafide illegal. (Copy of the impugned ACR is annexed as annexure "A")
5. That feeling aggrieved from the impugned adverse ACR's the appellant filed departmental appeal on dated 17/07/2018. However the same appeal was turned down vide order dated 25/10/2018. (Copy of Departmental appeal and rejection order are annexed as annexure "B" & "C")
6. That the appellant thus filed on individual departmental appeal/ mercy petition on 12/10/2018 which was rejected on 06/12/2018 received by the Appellant

Naila Jan Advocate
Peshawar High Court
Jan

(4)

10/12/2018.(Copy of mercy petition and order are annexed as annexure "D" & "E")

7. That feeling aggrieved from the impugned ACRs and orders the appellant filing the instant appeal on the following grounds.

GROUNDS:-

A. That the impugned ACRs as well as orders are against Law, rules principles of Natural Justice and void abinitio hence not sustainable under the law.

B. That the Respondent are under legal obligation to call the appellant for counseling however the opportunity of counseling has not been provided to the appellant hence the impugned remarks are liable to be expunged being contrary to law and rules.

C. That throughout the service of the Appellant no complaint or explanation, has

Naila Jan Advocate
Peshawar High Court



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been called from the appellant which negate the stance of the Respondent.

D. That neither opportunity of personal hearing has been provided to the appellant hence the appellant has been condemned unheard.

E. That adverse remarks for the same period has been recorded in the ACRs of nine others which was expunged by the Respondent however the appellant was subjected to discrimination hence the Respondents violated Article 25 of the constitutional of Islamic Republic of Pakistan, 1973, which makes all the impugned orders as void. **(Copies of ACRs are annexed as annexure "F")**

F. That even no Show Cause Notice has ever been issued to the appellant nor did any complaint has ever been filed against the appellant by anyone.

Naila Khan Advocate
Peshawar High Court

(6)

G. That the appellant has not been provided opportunity of fair trial as guaranteed by Art 10-A of the constitution of Islamic Republic of Pakistan 1973.

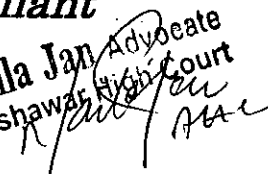
H. That the appellant seek permission to adduce other grounds during Arguments.

It is, therefore, most humbly prayed that the appeal may kindly be accepted as prayed for in the heading of the appeal.

Any other relief not specifically asked for may also graciously be extended in favour of the appellant in the circumstances of the case.


Appellant

Through



Naila Jan
Advocate
Peshawar High Court

Advocate, High Court
Peshawar.

Dated: 07/01/2019

NOTE:-

No such like appeal for the same appellant, upon the same subject matter has earlier been filed by me, prior to the instant one, before this Hon'ble Tribunal.


Naila Jan
Advocate
Peshawar High Court

BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR

S.A _____/2019

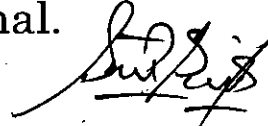
Sibghat Ullah

VERSUS

Inspector General of Police Khyber Pakhtunkhwa and others

AFFIDAVIT

I, Sibghat Ullah, Senior Clerk, DPO Office Bannu, do hereby solemnly affirm and declare that all the contents of the **accompanied appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Tribunal.



DEPONENT

Identified By:

*Naila Jan Advocate
Peshawar High Court*
NAILA JAN

Advocate High Court
Peshawar.



11.01.19

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR**

S.A _____/2019

Sibghat Ullah

VERSUS

Inspector General of Police Khyber Pakhtunkhwa and
others

APPLICATION FOR CONDONATION OF DELAY

RESPECTFULLY SHEWETH:-

Applicant submits as under.

1. That the above mentioned appeal is filing before this Hon'ble Tribunal in which no date is fixed for hearing so far.
2. That the final impugned order was communicated to the appellant on 10/12/2018 and the instant appeal is within time, however if this it would be considered time bard then the limitation is condonable on the following grounds

GROUND:

- A. That the impugned order is void order, because the Respondents violated Article 25 of the

(9)

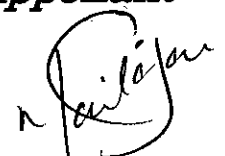
constitution of Islamic Republic of Pakistan 1973, by subjected the appellant to discrimination therefore no limitation runs against such void order.

B. That the final order was communicated to the applicant on 10/12/2018.

C. That there are number of precedents of Supreme Court of Pakistan which provides that the cases shall be decided on merits rather than technicalities.

It is therefore requested that the limitation period (if any) may kindly be condone in the interest of justice.


Appellant

Through 
Naila Jan

Advocate, High Court
Peshawar.

Dated: 07/01/2019

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR**

S.A _____/2019

Sibghat Ullah

VERSUS

Inspector General of Police Khyber Pakhtunkhwa and
others

ADDRESSES OF PARTIES

APPELLANT.

Sibghat Ullah, Senior Clerk, DPO Office Bannu.

RESPONDENTS

1. Inspector General of Police Khyber Pakhtunkhwa Peshawar.
2. Additional Inspector General Establish Khyber Pakhtunkhwa Peshawar.
3. Regional Police officer Bannu Region Bannu.
4. District Police officer Bannu.

[Signature]
Appellant

Through *Naila Jan*
Naila Jan
Advocate
Peshawar High Court

Advocate, High Court
Peshawar.

Dated: 07/01/2019

GOVERNMENT OF KHYBER PAKHTUNKHWA.

POLICE DEPARTMENT.

PERFORMANCE EVALUATION REPORT.

For the period from 28-04-2017 to 31-12-2017

PART-I

- 1- Name (in block letters) SIBGHAT ULLLAH KHAN 2. Father's Name HAJI HATIM KHAN
- 3-Designation SENIOR CLERK
- 4-Date of Birth 05-08-1965 5. Qualification MATRIC
- 6-Date of Entry into Government Service 30.10.1989
- 7-Sections/Branches in which employed during the year, with period INCHARGE COMPLAINT CELL MINI OPERATION ROOM ,REGIONAL POLICE OFFICE, BANNU REGION.

PART-II

(A) PERFORMANCE		A1	A	B	C	D
(1)	Referencing, paging of notes and correspondence			2		
(2)	Movement of files & record of suspense cases.			2		
(3)	Keeping files and papers in tidy conditions.			2		
(4)	Promptness and accuracy in disposing of work				2	
(B) PERSONAL TRAITS						
(5)	Intelligence				2	
(6)	Knowledge of procedure and regulations				2	
(7)	Punctuality			2		
(8)	Cooperation and tact			2		
(9)	Amenability to discipline			2		
(10)	Skill in drafting				2	

Naila Jan Advocate
Peshawar High Court

(11) B)

(3)

"In Average Staff"

From:- 28-04-2017 to 31-12-2017

Reporting Officer's Signature

Dated 13.02.2018

Name (in Block letters):- (DAR ALI KHAN KHATTAK) PSP
Designation:- Regional Police Officer,
Bannu Region, Bannu

Remarks by Countersigning Officer:-

seen

Countersigning Officer's Signature

Name (in Block letters)

Additional Deputy Commissioner
Khyber Pakhtunkhwa
Peshawar

Dated

Designation

CONVEYED AS ADVERSE REMARKS

via No. B/2583/18/dated 03/07/18

Naila Jan Advocate
Peshawar High Court

(2)

11 A

(11) Integrity:-

Assessment

I. Incorruptible.....

II. Reported to be corrupt.....

III. Believed to be corrupt, because of.

(a) Monetary consideration.....

(b) Other Consideration.....

Yes

No

(12) Knowledge of Typing/Computer.

(13) Trust worthiness in confidence and secret matters.

(14) Any disciplinary action taken during the period under report.

PART-III

By Reporting Officer

By Countersigning Officer

(a) Recommended for accelerated promotion.....

(b) Fit for Promotion.....

(c) Recently promoted/appointed consideration for promotion pre-mature.

(d) Not yet fit for promotion.....

(e) Unfit for further promotion.....

PART-IV

Naina Jan Advocate
Peshawar High Court

General Assessment	By Reporting Officer	By Countersigning Officer
(i) Very Good		
(ii) Good		
(iii) Average	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
(iv) Below Average		



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OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

No. S/ 2583 /18, Dated Peshawar the 03/07/2018

Confidential/In-duplicate

To:- The Regional Police Officer,
Bannu Region, Bannu.

Subject: -
Memo:

ACR/COMMUNICATION OF ADVERSE REMARKS

In the Annual Confidential Report on the working of Senior Clerk Sibghat Ullah Khan s/o Haji Hatim Khan, for the period/year 28.04.2017 to 31.12.2017 it has been mentioned that:-

Remarks of the Reporting Officer (RPO).

A) PERFORMANCE

4.	Promptness and accuracy in disposing of work	"C"
----	--	-----

B) PERSONAL TRAITS

5.	Intelligence	"C"
6.	Knowledge of procedure and regulations	"C"
10.	Skill in drafting	"C"

12.	Knowledge of Typing	"No"
-----	---------------------	------

<u>Pen Picture</u> "An Average Stuff"
<u>2nd Countersigning Officer Remarks (Addl: IGP/HQrs:/KPK)</u> "Convey as Adverse"

The above adverse remarks may please be conveyed to the official concerned in order that he may remedy the defects. Representation if made should be sent not later than one month from the date of receipt of this communication.

The acknowledgement as token of the receipt of this memo: may be obtained from him on the attached duplicate copy of this communication and returned to this office for record in his Character Roll Dossier.

Handwritten signature and initials

11/07/2018

Naila Jan Advocate
Peshawar High Court

(IRFAN ULLAH KHAN) PSP
AIG/Establishment
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

2/7

ACR/COMMUNICATION OF ADVERSE REMARKS

عنوان:

جناب عالی!

گزارش ہے کہ ذیل کلرکل سٹاف بنوں ریجن عرض کرتے ہیں کہ ہم سالانہ 28.04.2017 تا 31.12.2017 کے ACRs میں ہمارے خلاف ADVERSE REMARKS دئے گئے ہیں جن کو دیکھ کر ہم سب حیران اور پریشان ہے کہ نہ تو ہمارے خلاف کوئی Explanation وغیرہ تھی اور نہ ہی ہم سے دوران ڈیوٹی ایسی کوئی کوتاہی ہوئی ہے کہ جس کی بنیاد پر ہمارے خلاف ADVERSE REMARKS آئے ہیں۔ کیونکہ اگر دیکھا جائے تو سارے صوبے میں ایسے انتقامی ACR کسی بھی نمبر نے اپنے ماتحتوں کو نہیں دئے ہیں جو کہ ظلم پر مبنی ہیں۔

جناب عالی!

کیونکہ سالانہ ACRs کی بنیاد پر ہی ہماری کارکردگی اور ترقی کا دارومدار ہوتا ہے اور یہ جاننا ہمارا حق ہے کہ اگر ہمارے خلاف 2017 ACRs میں جو ریمارکس دئے گئے ہیں وہ کس بنیاد پر دئے گئے ہیں کیونکہ ذیل ملازمین میں سے کسی کے خلاف کوئی محکمانہ کارروائی جاری نہیں تھی۔ اور نہ ہی کسی کو اس ضمن میں کوئی وارننگ لیٹر جاری ہوا تھا۔ نہ ہی کسی کو ساری سروس میں کوئی خراب ACR دیا گیا ہے۔

جناب عالی!

ہمارے سابقہ ریکارڈ آپ جناب کے دفتر CPO میں موجود ہیں جس سے ہمارے سابقہ کارکردگی جانچی اور پرکھی جاسکتی ہے لہذا استدعا کرتے ہیں کہ ہم جملہ سٹاف بنوں ریجن آپ کے حضور پیش ہو کر اپنی عرضداشت بیان کرنا چاہتے ہیں ہمیں پیشی کا موقع فراہم کیا جائے اور ہمارے سابقہ کارکردگی کو دیکھتے ہوئے 2017 ACRs کی Adverse Remarks ختم کی جائے۔ اور EXPUNGE کیا جائے۔

نوٹ:- جملہ سٹاف ٹوٹل 23 سٹاف ممبران (DPO آفس بنوں سٹاف، ریجن آفس بنوں سٹاف) کی لسٹ درخواست کے ہمراہ لف ہے۔

مورخہ: 17.07.2018

Naba Jan Advocate
Peshawar High Court

سالکان

جملہ سٹاف ممبران (DPO آفس بنوں، ریجن آفس بنوں)



14

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

Annexure
(C)

No. S/ 4408.09/18, Dated Peshawar the 25/10/2018.

ORDER

This order pertains to the representation preferred by Senior Clerk Sibghatullah s/o Haji Hatim Khan of Bannu Region for the expunction of Adverse Remarks contained in his ACR for the period from 28.04.2017 to 31.12.2017 recorded by the reporting/countersigning officer. Comments were also obtained.

After going through the relevant record, comments and material on ground the Adverse Remarks recorded in his ACR for the period from 28.04.2017 to 31.12.2017 is hereby rejected and remarks maintained.

Sd/-

Dr. Ishtiaq Ahmad, PSP/PPM

Add: IGP/HQrs:

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

Endst: No. & date even.

Copy of above is forwarded for information and necessary action, to the:-

1. Regional Police Officer, Bannu Region w/r to his memo: No. 52/CC, dated 18.07.2018. Necessary entry into this effect may also be made in his Duplicate Character Roll Dossier. The applicant may also please be informed accordingly.
2. District Police Officer, Bannu.
3. Supdt: "E-V" Branch, CPO.

DPO/Bxu/CC

To inform the official concerned and one copy placed in his character Roll.

[Signature]

RPO/Bxu

29/10

(ZAIBULLAH KHAN)PSP

AIG/Establishment

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

Naila Ishtiaq Advocate
Peshawar High Court

[Signature]

رحم درخواست

جناب عالی!

گزارش ہے کہ میں بذریعہ رحم درخواست معروض ہوں کہ مجھے سال 2017 کے ACR میں ایڈورسری مارکس Convey کئے گئے ہیں جن کو دیکھ کر میں انتہائی حیران و پریشان ہوا، کہ نہ تو میرے خلاف کوئی Explanation وغیرہ تھی اور نہ ہی دوران ڈیوٹی کوئی ایسا جرم سرزد ہوا ہے۔ جس کی بنیاد پر ایڈورسری مارکس دئے گئے ہیں۔ کیوں کہ اگر دیکھا جائے تو سارے صوبے میں ایسے انتظامی ACRs اتنے بڑے پیمانے پر جملہ ماتحتان کو دئے گئے ہوں۔ جو کہ ظلم پر مبنی ہے کیونکہ سالانہ ACRs کی بنیاد پر ہی ہم سرکاری اہلکاروں کی ترقی کا دار و مدار ہوتا ہے۔ اور یہ جاننا میرا حق ہے کہ میرے خلاف 2017 ACR میں ایڈورسری مارکس کس بنیاد پر دئے گئے ہیں۔ کیونکہ میرے خلاف کوئی بھی محکمانہ کارروائی وغیرہ نہیں تھی۔ اور نہ ہی مجھے کوئی نوٹس وغیرہ جاری ہوا تھا۔ اس سلسلے میں میں پورے وثوق سے کہتا ہوں کہ مجھے ساری سروس میں کوئی بھی خراب ACRs نہیں دئے گئے ہیں۔ اور تقریباً A-1 ACRs حاصل کر چکا ہوں۔ میرا اس سلسلے میں سابقہ ریکارڈ آپ جناب کے دفتر یعنی CPO میں موجود ہے۔ جس سے میری سابقہ کارکردگی جانچی اور پرکھی جاسکتی ہے۔ لہذا استدعا ہے کہ آپ کے حضور پیش ہو کر اپنی آرزوداشت پیش کرنے کا موقع فراہم کیا جائے اور میری سابقہ کارکردگی کو دیکھتے ہوئے 2017 ACRs میں جو ریمارکس دئے گئے ہیں انکو Expunge کیا جاوے۔

جناب عالی!

اس سلسلے میں DPO آفس بنوں اور ریجن آفس بنوں کے جملہ 24 مینیسٹرکل سٹاف نے ایک متنفقہ درخواست آپ جناب کو گزاری تھی اس درخواست میں بھی پیش ہونے کی استدعا کی گئی تھی نتیجاً ان میں سے کچھ اہلکاروں کے ACRs پیشی کر کے Expunge کئے گئے لیکن بقایا کو اس حق سے محروم رکھا گیا اور نہ ہی Expunge کرنے کے لئے سنا گیا۔ میری درخواست کیساتھ جملہ بقایا اہلکاران کی لسٹ بھی لف ہے۔

مورخہ: 12.11.2018

Naila Jan Advocate
Peshawar High Court

صغت اللہ (سینئر کلرک)

RPO آفس بنوں



16

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

Annexure (E)

No. S/ 4844 /18, Dated Peshawar the 06/12/2018.

To: The Regional Police Officer,
Bannu Region, Bannu.

Subject:- Applications—(Mercy Petitions)

Memo:

Please refer to your office memo: 8571/PA, 8572/PA, 8573/PA, 8574/PA, 8575/PA, 8576/PA, 8577/PA, 8578/PA, 8579/PA, 8580/PA, 8581/PA, 8582/PA, dated 13.11.2018 on the subject cited above.

The competent authority has examined the cases submitted by Ministerial Staff of Bannu Region, as per "Instructions on Performance Evaluation Report (PER)" Article 6.2 (iv), which is reproduced below:-

"According to the existing instructions, there is scope for only one representation against adverse remarks, which should be submitted, if desired, by the officer concerned, within (30 days), of the receipt of those remarks".

There is no provision of Mercy Petition in the rules.

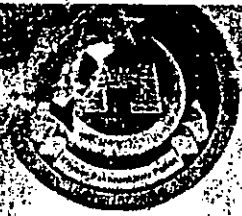
PA

(SADIQ BALOCH)PSP
AIG/Establishment

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

Naila Jan Advocate
Peshawar High Court

حضرت اللہ سنیٹر کلرک
وصول شد
10/12/2018



OFFICE OF THE
INSPECTOR GENERAL OF POLICE

KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

No. S/ 4368-7/18, Dated Peshawar the 25/10/2018

ORDER

This order pertains to the representation preferred by Senior Clerk Mir Muhammad of Bannu Region for the expunction of Adverse Remarks contained in his ACR for the period from 28.04.2017 to 31.12.2017 recorded by the reporting/countersigning officer. Comments were also obtained.

After going through the relevant record, comments and material on ground, the Adverse Remarks recorded in his ACR for the period from 28.04.2017 to 31.12.2017 is hereby expunged.

Sc: [Signature]
Dr. Ishtiaq Ahmad, PSP/PPM
Addl: IGP/HQrs.
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

Endst: No. & date even.

- Copy of above is forwarded for information and necessary action to the:-
1. Regional Police Officer, Bannu Region w/r to his memo. No. 52/CC dated 18.07.2018. Necessary entry into this effect may also be made in his Duplicate Character Roll Dossier. The applicant may also please be informed accordingly.
 2. District Police Officer, Bannu.
 3. Supdt: "E-V" Branch, CPO.

cc

Placed cum vis
Character Roll

[Signature]
R.P./B.K.
29/10

[Signature]
(ZAIBULLAH KHAN)PSP
AIG/Establishment
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

Naila Jan Advocate
Peshawar High Court
[Signature]
Naila Jan Advocate
Peshawar High Court

No. S-4364-67/18 Dated Peshawar on 25/01/18

ORDER

This order pertains to the representation preferred by Senior Clerk Sibghatullah s/o Noor Nawaz Khan of Bannu Region for the expunction of Adverse Remarks contained in his ACR for the period from 28.04.2017 to 31.12.2017 recorded by the reporting/countersigning officer. Comments were also obtained.

After going through the relevant record, comments and material on ground the Adverse Remarks recorded in his ACR for the period from 28.04.2017 to 31.12.2017 is hereby expunged.

Sd/
Dr. Ishtiaq Ahmad, PSP/PPM
-Addl: IG/HQrs
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

Endst: No. & date even.

Copy of above is forwarded for information and necessary action to the

1. Regional Police Officer, Bannu Region w/r to his memo. No. 52/CC dated 18.07.2018. Necessary entry into this effect may also be made in his Duplicate Character Roll Dossier. The applicant may also please be informed accordingly.
2. District Police Officer, Bannu.
3. Supdt: "E-V" Branch, CPO.

cc

Placed on file
Character Roll.

Muhammad
Raza/Bxv

29/10

(ZAIBULLAH KHAN) PSP
AIG/Establishment
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

Muhammad Advocate
Peshawar High Court



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

No. S/ 4205-08/18, Dated Peshawar the 24/10/2018.

ORDER

This order pertains to the representation preferred by Junior Clerk Waseem Ullah of Bannu Region for the expunction of Adverse Remarks contained in his ACR for the period from 28.04.2017 to 31.12.2017 recorded by the reporting/countersigning officer. Comments were also obtained.

After going through the relevant record, comments and material on ground the Adverse Remarks recorded in his ACR for the period from 28.04.2017 to 31.12.2017 is hereby expunged. He was also heard in person by the Deputy Inspector General of Police, Headquarters, Khyber Pakhtunkhwa, Peshawar.

Sd/-

Sher Akbar, PSP

DIG/HQrs:

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

Endst: No. & date even.

Copy of above is forwarded for information and necessary action, to the:-

1. Regional Police Officer, Bannu Region w/r to his memo: No. 52/CC, dated 18.07.2018. Necessary entry into this effect may also be made in his Duplicate Character Roll Dossier. The applicant may also please be informed accordingly.
2. District Police Officer, Bannu.
3. Supdt: "E-V" Branch, CPO.

cc

Placed on his

Character Roll.

[Handwritten signature]

RPo/Bx

29/10

(SYED ANIS-UL-HASSAN)

Registrar

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

18/10/18

Naila Jan Advocate
Peshawar High Court

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA

Central Police Office, Peshawar

No. S/ 4197-4200/18, Dated Peshawar the 27/12/2018

ORDER

This order pertains to the representation preferred by Junior Clerk Muhammad Younas of Bannu Region for the expunction of Adverse Remarks contained in his ACR for the period from 20.05.2017 to 31.12.2017 recorded by the reporting/countersigning officer. Comments were also obtained.

After going through the relevant record, comments and material on ground the Adverse Remarks recorded in his ACR for the period from 20.05.2017 to 31.12.2017 is hereby expunged. He was also heard in person by the Deputy Inspector General of Police, Headquarters, Khyber Pakhtunkhwa, Peshawar.

Sd/-
Sher Akbar, PSP
DIG/HQs,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

Endst: No. & date even.

Copy of above is forwarded for information and necessary action, to the:-

1. Regional Police Officer, Bannu Region w/r to his memo No. 52/CC dated 18.07.2018. Necessary entry into this effect may also be made in his Duplicate Character Roll Dossier. The applicant may also please be informed accordingly.
2. District Police Officer, Bannu.
3. Supdt: "E-V" Branch, CPO.

DPo/BXU/ce

To inform the official concerned and one copy placed on his Character Roll.

Muhammad

RPO/BXU

29/10

(SYED ANIS-UL-HASSAN)

Registrar
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

Peshawar High Court
High Court



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

No S/4201-4204/18, Dated Peshawar the 24/11/2018

ORDER

This order pertains to the representation preferred by Junior Clerk Armanullah of Bannu Region for the expunction of Adverse Remarks contained in his ACR for the period from 20.05.2017 to 31.12.2017 recorded by the reporting/countersigning officer. Comments were also obtained.

After going through the relevant record, comments and material on ground the Adverse Remarks recorded in his ACR for the period from 20.05.2017 to 31.12.2017 is hereby expunged. He was also heard in person by the Deputy Inspector General of Police, Headquarters, Khyber Pakhtunkhwa, Peshawar.

Sd/-
Sher Akbar, PSP
DIG/HQs
For Inspector General of Police
Khyber Pakhtunkhwa, Peshawar

Endst: No. & date even.

Copy of above is forwarded for information and necessary action to the:-

1. Regional Police Officer, Bannu Region w/r to his memo: No: 52/CC dated 18.07.2018. Necessary entry into this effect may also be made in his Duplicate Character Roll Dossier. The applicant may also please be informed accordingly.
2. District Police Officer, Bannu.
3. Supdt: "E-V" Branch, CPO.

DPo/Bx0/CC

To inform the official
and placed on his
Character Roll.

Muhammad
R.Po/Bx0
29/10

Syed Anis-ul-Hassan
(SYED ANIS-UL-HASSAN)
Registrar
For Inspector General of Police
Khyber Pakhtunkhwa, Peshawar

Advocate
High Court

ORDER

This order pertains to the representation preferred by Junior Clerk Muhammad Javed Khan of Bannu Region for the expunction of Adverse Remarks contained in his ACR for the period from 28.04.2017 to 31.12.2017 recorded by the reporting/countersigning officer. Comments were also obtained.

After going through the relevant record, comments and material on ground the Adverse Remarks recorded in his ACR for the period from 28.04.2017 to 31.12.2017 is hereby expunged. He was also heard in person by the Deputy Inspector General of Police, Headquarters, Khyber Pakhtunkhwa, Peshawar.

Sd/-

Sher Akbar, PSP

DIG/HQs

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

Endst: No. & date even.

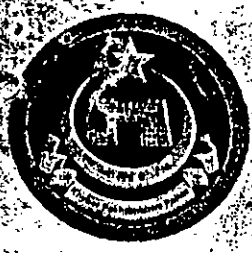
Copy of above is forwarded for information and necessary action to the:-

1. Regional Police Officer, Bannu Region w/r to his memo No. 52/GC dated 18.07.2018. Necessary entry into this effect may also be made in his Duplicate Character Roll Dossier. The applicant may also please be informed accordingly.
2. District Police Officer, Bannu.
3. Supdt: "E-V" Branch, CPO.

cc
 Placed on his
 Character Roll.
 RPO/Bnu
 29/10

(Signature)
 29/10
 (SYED ANIS-UL-HASSAN)
 Registrar
 For Inspector General of Police,
 Khyber Pakhtunkhwa, Peshawar

(Signature)
 High Court



23

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

No. SI 4209-12-18, Dated Peshawar the 24/10/2018

ORDER

This order pertains to the representation preferred by Major Clerk Haroon Rashid of Bannu Region for the expunction of Adverse Remarks contained in his ACR for the period from 28.04.2017 to 31.12.2017 recorded by the reporting/countersigning officer. Comments were also obtained.

After going through the relevant record, comments and material on ground the Adverse Remarks recorded in his ACR for the period from 28.04.2017 to 31.12.2017 is hereby expunged. He was also heard in person by the Deputy Inspector General of Police, Headquarters, Khyber Pakhtunkhwa, Peshawar.

Sd/
Sher Akbar PSP
DIG/HQs
For Inspector General of Police
Khyber Pakhtunkhwa, Peshawar

Endst: No. & date even.

Copy of above is forwarded for information and necessary action to the:-

1. Regional Police Officer, Bannu Region w/r to his memo: No. 52/CC dated 18.07.2018. Necessary entry into this effect may also be made in his Duplicate Character Roll Dossier. The applicant may also please be informed accordingly.
2. District Police Officer, Bannu.
3. Supdt: "E-V" Branch, CPO.

cc

Placed on his
Character Roll.

RPO/Bnu
29/10

Advocate
Peshawar High Court

(SYED ANIS-UL-HASSAN)
Registrar
For Inspector General of Police
Khyber Pakhtunkhwa, Peshawar



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

No. S/ 4217-20 /18, Dated Peshawar the 24/10/2018

ORDER

This order pertains to the representation preferred by Junior Clerk Saad Khan of Bannu Region for the expunction of Adverse Remarks contained in his ACR for the period from 28.04.2017 to 31.12.2017 recorded by the reporting countersigning officer. Comments were also obtained

After going through the relevant record, comments and material on ground the Adverse Remarks recorded in his ACR for the period from 28.04.2017 to 31.12.2017 is hereby expunged. He was also heard in person by the Deputy Inspector General of Police, Headquarters, Khyber Pakhtunkhwa, Peshawar.

Sd/
Sher Akbar, PSP
DIG HQrs.

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

En list: No. & date even.

Copy of above is forwarded for information and necessary action, to the:-

1. Regional Police Officer, Bannu Region wr to his memo No: 52/CC, dated 18.07.2018. Necessary entry into this effect may also be made in his Duplicate Character Roll Dossier. The applicant may also please be informed accordingly.
2. District Police Officer, Bannu.
3. Sapdt: "E-V" Branch, CPO.

CC

Placed on his
Character roll.

A
RPO/BxU

29/10

(SYED ANIS UL-HASSAN)
Registrar

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

Advocat
High Court

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

No. SI 4221-24/18; Dated Peshawar 29/10/2018

ORDER

This order pertains to the representation preferred by Junior Clerk Sulman Khattak of Bannu Region for the expunction of Adverse Remarks contained in his ACR for the period from 28.04.2017 to 31.12.2017 recorded by the reporting countersigning officer. Comments were also obtained.

After going through the relevant record, comments and material on ground the Adverse Remarks recorded in his ACR for the period from 28.04.2017 to 31.12.2017 is hereby expunged. He was also heard in person by the Deputy Inspector General of Police Headquarters, Khyber Pakhtunkhwa, Peshawar.

Sd/-
Sher Akbar, PSP
DIG/HQs

For Inspector General of Police
Khyber Pakhtunkhwa, Peshawar

Endst: No. & date even.

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2. District Police Officer, Bannu.
3. Supdt: "E-V" Branch, CPO.

cc

Placed on Character
Roll.

deal
RPS/RXU

29/10/18

(SYED ANIS-UL-HASSAN)
Registrar
For Inspector General of Police
Khyber Pakhtunkhwa, Peshawar

High Court

HAVING ADVERSE REMARKS

(26)

S.No	Name & Rank	Place of Posting	Period From	Period To	Signature
1	Asstt. Grade Clerk Ghulam Muhammad	DPO Office Bannu.	20.05.2017	31.12.2017	
2	Asstt. Grade Clerk Nazar Hayat	DPO Office Bannu	20.05.2017	31.12.2017	
3	Senior Clerk Rahim Ullah Khan	DPO Office Bannu	20.05.2017	31.12.2017	
4	Senior Clerk Gul Aslam	DPO Office Bannu	20.05.2017	31.12.2017	
5	Senior Clerk Abdul Malik	DPO Office Bannu	20.05.2017	31.12.2017	
6	Senior Clerk Shareen Zaman	DPO Office Bannu	20.05.2017	31.12.2017	
7	Senior Clerk Kifayat Ullah Khan	DPO Office Bannu	20.05.2017	31.12.2017	
8	Junior Clerk Tariq Hayat	DPO Office Bannu	20.05.2017	31.12.2017	
9	Junior Clerk Farman Ullah	DPO Office Bannu	20.05.2017	31.12.2017	
10	Junior Clerk Muhammad Ismail	DPO Office Bannu	20.05.2017	31.12.2017	
11	Junior Clerk Muhammad Youns	DPO Office Bannu	20.05.2017	31.12.2017	
12	Junior Clerk Muhammad Asif Qurashi.	DPO Office Bannu	20.05.2017	31.12.2017.	
13	Junior Clerk Tariq Hayat	DPO Office Bannu	20.05.2017	31.12.2017	
14	Stenographer Muhammad Anwar Shah	Range Office Bannu	28.04.2017	31.12.2017	
15	Asstt. Grade Clerk Muhammad Riaz	Range Office Bannu	28.04.2017	31.12.2017	
16	Senior Clerk Sibghat Ullah Khan	Range Office Bannu	28.04.2017	31.12.2017	
17	Senior Clerk Tahseen Ullah Khan	Range Office Bannu	28.04.2017	31.12.2017	
18	Senior Clerk Mir Muhammad	Range Office Bannu	28.04.2017	31.12.2017	
19	Senior Clerk Sibghat Ullah Khan	Range Office Bannu	28.04.2017	31.12.2017	
20	Junior Clerk Wasim Ullah Khan	Range Office Bannu	28.04.2017	31.12.2017	
21	Junior Clerk Haroon Rashid	Range Office Bannu	28.04.2017	31.12.2017	
22	Junior Clerk Muhammad javid	Range Office Bannu	28.04.2017	31.12.2017	
23	Junior Clerk Saud Khan	Range Office Bannu	28.04.2017	31.12.2017	
24	Junior Clerk Muhammad Sulaman Khan	Range Office Bannu	28.04.2017	31.12.2017	

Naila Jan Advocate
Peshawar High Court

وکالت نامہ

بعدالت KP Service Tribunal Peshawar
 نام Sibghat ulah
 تاریخ 7/11/2019 Police
 مخاطب appellant

ابتداءً 6/11/19 باعث تحریر آفندہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے پیروی و جوابدہی بمقام Peshawar کے لئے

نانکہ جان ایڈوکیٹ ہائی کورٹ اینڈ حنا کے

کو بدین شرط وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختیار خاص رو برو عدالت حاضر ہوتا رہوں گا۔ اور یوقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دیکر حاضر عدالت کروں گا اگر پیشی پر من مظهر حاضر نہ ہوں اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور میرے برخلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام پشوری کے کسی اور جگہ سماعت ہونے یا پروڈنسی یا پشوری کے کسی اور جگہ پیش ہونے پر من مظهر کو کوئی نقصان پہنچنے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا اختیار نامہ نہیں کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھ کو وکیل ساختہ پر داخل صاحب موصوف مثل کردہ ذات خود منظور قبول ہوگا۔ اور صاحب موصوف کو عرضی و جواب دعویٰ اور درخواست اجراء ڈگری و نظر ثانی اپیل و نگرانی و حرم کی درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کے اجراء کرنے اور حرم کا روپیہ وصول کرنے اور رسید دینے اور نفاذ کرنے اور حرم کے بیان دینے اور ہر دہائی وراثی نامہ کو فیصلہ برخلاف کرنے، اقبال دعویٰ دینے کا بھی اختیار ہوگا۔ اور بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یا طرفہ درخواست حکم اتنابی یا ترقی یا گرفتاری قبل از اجراء ڈگری بھی موصوف کو بشرط ادا ہوگی طبعہ اختیار نامہ پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو بھی اختیار ہوگا یا مقدمہ مذکورہ یا اس کے کسی جزوی کارروائی کے واسطے یا بصورت اپیل، اپیل کے واسطے کسی دوسرے وکیل یا پھر منتر کو بجائے اپنے یا اپنے ہمراہ مقرر کریں۔ اور ایسے مشیر قانون کو ہر امر میں وہی اور ویسے ہی اختیارات حاصل ہوں گے۔ جیسے کہ صاحب موصوف کو حاصل ہیں اور پہلے ادا نہ کر دیں گے۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا یہ اختیار نامہ لکھ دیا تاکہ سند رہے مورخہ 7/11/2019 مضمون اختیار نامہ من لیا ہے اور اچھی طرح سمجھ لیا اور منظور ہے۔

ATTESTED
 Nails Jan
 Peshawar High Court

Handwritten signature and stamp

نانکہ جان ایڈوکیٹ ہائی کورٹ پشاور

Hina
 Huma Khan
 Huma

صفت اللہ منور

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

Appeal No: 44 /2019

Sibghat UllahAppellant

Versus

The Inspector General of Police, KPK, Peshawar and others

..... Respondents

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DEPONENT

11101-1483421-1

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

Appeal No.44 /2019

Sibghat UllahAppellant

Versus

The Inspector General of Police, KPK, Peshawar and others

..... Respondents

PARA WISE COMMENTS/REPLY ON BEHALF OF RESPONDENTS NO.1,2,3 & 4

Preliminary Objections

1. That the appeal of the appellant is badly time-barred.
2. That the appeal is not maintainable in its present form.
3. That the appellant has concealed the actual facts from this Honourable Tribunal.
4. That the appeal is bad in law due to non-joinder and mis-joinder of unnecessary parties.
5. That the appellant has approached the Honourable Tribunal with unclean hands.
6. That the appellant has got no cause of action and locus-standi to file the instant appeal.
7. That the appellant has been estopped by his own conduct to file the instant appeal.
8. That the instant appeal is badly time barred.

OBJECTIONS ON FACTS:

Respectfully Sheweth

1. Pertains to record. Hence, Needs no comments.
2. Pertains to record. However, the appellant has not annexed any document in support of his claim.
3. Pertains to record. Hence, Needs no comments.
4. Incorrect. The Respondent No.3 has the authority to assign performance evaluation report to the appellant on the basis of his performance. Hence, respondent No.3 acted in accordance with law.
5. Correct to the extent that the appellant preferred an appeal before the Respondent No.1. After perusing the relevant record, comments and material on grounds, the adverse remarks recorded in ACR of the appellant for the period w/e from 28.04.2017 to 31.12.2017 the appeal was rejected being devoid of merit. (Copy of the order is annexed as annexure "A").
6. Correct to the extent that the appellant filed an appeal/mercy petition on 12.11.2018 to Respondent No.1 but was rejected according to Police Rules 16-29

(2) "There shall be one appeal only from the original order, and the order of the appellate authority shall be final". As per law and rules.


7. The respondent Department also submit his reply on the following grounds:-


OBJECTIONS ON GROUNDS


- A. Incorrect. The impugned ACR as well as ACRs orders issued by the Respondents Department is in according to law/rules.
- B. Incorrect. The appellant was afforded all legal opportunities for his self defense but he badly failed to mend his way.
- C. Pertains to record. Hence, needs no comments.
- D. Incorrect. Reply has already been given in para "B".
- E. Pertains to record. Hence, needs no comments.
- F. Incorrect. The appellant was provided all opportunities of personal hearing and self defense but he badly failed to substantiate stance further there is no need of issuing a show cause before recording adverse remarks.
- G. Incorrect. Reply has already been given in the above para.
- H. That the respondent department may be allowed to advance any other grounds & material as evidence at the time of arguments.

PRAYER:

In view of the above replies, it is most humbly prayed that the appeal of the appellant may kindly be dismissed with cost please.


District Police Officer,
Bannu
(Respondent No.4)


Regional Police Officer
Bannu Region, Bannu
(Respondent No.3)


AIG Establishment,
Khyber Pakhtunkhwa Peshawar
(Respondent No.2)


Provincial Police Officer,
Khyber Pakhtunkhwa Peshawar
(Respondent No.1)

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

Appeal No.44 /2019

Sibghat UllahAppellant

Versus

The Inspector General of Police, KPK, Peshawar and others
..... Respondents


AUTHORITY LETTER.

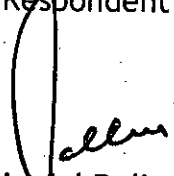
Mr. Muhammad Farooq Khan, Inspector Legal is hereby authorized to appear before The Service Tribunal Khyber PakhtunKhwa Peshawar on behalf of the undersigned in the above cited case.

He is authorized to submit and sign all documents pertaining to the present appeal.


District Police Officer,
Bannu
(Respondent No.4)


Regional Police Officer,
Bannu Region, Bannu
(Respondent No.3)


AIG Establishment,
Khyber Pakhtunkhwa Peshawar
(Respondent No.2)


Provincial Police Officer,
Khyber Pakhtunkhwa Peshawar
(Respondent No.1)

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

Appeal No.44 /2019

Sibghat UllahAppellant

Versus

The Inspector General of Police, KPK, Peshawar and others

..... Respondents

AFFIDAVIT

I, **Muhammad Farooq Khan**, Inspector Legal representative for Respondent Nos. 1,2,3 and 4 do hereby solemnly affirm and declare that the contents of the accompanying comments submitted by me are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Honourable Tribunal.


DEPONENT

11101-1483421-1

11

Amended - "A" DUP

APPENDIX "F" vide 3.1 (i)
Form for
Assistant and Clerks

RESTRICTED

GOVERNMENT OF KHYBER PAKHTUNKHWA.

POLICE DEPARTMENT.

PERFORMANCE EVALUATION REPORT.

For the period from 28-04-2017 to 31-12-2017

PART-I

- 1- Name (in block letters) SIBGHAT ULLAH KHAN
- 2. Father's Name HAJI HATIM KHAN
- 3-Designation SENIOR CLERK
- 4-Date of Birth 05-08-1965
- 5. Qualification MATRIC
- 6-Date of Entry into Government Service 30.10.1989
- 7-Sections/Branches in which employed during the year, with period INCHARGE COMPLAINT CELL MINI OPERATION ROOM, REGIONAL POLICE OFFICE, BANNU REGION.

PART-II

(A) PERFORMANCE	A1	A	B	C	D
(1) Referencing, paging of notes and correspondence					
(2) Movement of files & record of suspense cases.					
(3) Keeping files and papers in tidy conditions.					
(4) Promptness and accuracy in disposing of work					
(B) PERSONAL TRAITS					
(5) Intelligence					
(6) Knowledge of procedure and regulations					
(7) Punctuality					
(8) Cooperation and tact					
(9) Amenability to discipline					
(10) Skill in drafting					

Naila Jan Advocate
Peshawar High Court
[Signature]

11(B)

(3)

"In Average Stuff"

From:- 28-04-2017 to 31-12-2017

Reporting Officer's Signature

[Signature]

Dated 13.02.2018

Name (in Block letters):- (DAR ALI KHAN KHATTAK) PSI
Designation:- Regional Police Officer,
Pannu Region, Bannu

Remarks by Countersigning Officer:-

seen

Countersigning Officer's Signature

[Signature]

Name (in Block letters)

Additional (in Block letters)
Khyber Pakhtunkhwa
Peshawar

Dated

Designation

CONVEYED AS ADVERSE REVEALS
via No. 21 2583/18 dated 02/07/18

Naila Jan Advocate
Peshawar High Court

[Signature]

DA

(11) Integrity:-

Assessment

I. Incorruptible.....

D

II. Reported to be corrupt.....

III. Believed to be corrupt, because of.

(a) Monetary consideration.....

(b) Other Consideration.....

Yes

No

(12) Knowledge of Typing/Computer.

D

D

(13) Trust worthiness in confidence and secret matters..

(14) Any disciplinary action taken during the period under report.

D

PART-III

By Reporting Officer

By Countersigning Officer

(a) Recommended for accelerated promotion.....

(b) Fit for Promotion.....

(c) Recently promoted/appointed consideration for promotion pre-mature.

D

Small

(d) Not yet fit for promotion.....

(e) Unfit for further promotion.....

PART-IV

Naina Jain Advocate
Peshawar High Court

General Assessment	By Reporting Officer	By Countersigning Officer
(i) Very Good		
(ii) Good		
(iii) Average	<u>D</u>	<u>Small</u>
(iv) Below Average		

Annexure
C1

No. SI/4408.09/18, Dated Peshawar the 25/10/2018.

ORDER

This order pertains to the representation preferred by Senior Clerk Sibghatullah s/o Haji Hatim Khan of Bannu Region for the expunction of Adverse Remarks contained in his ACR for the period from 28.04.2017 to 31.12.2017 recorded by the reporting/countersigning officer. Comments were also obtained.

After going through the relevant record, comments and material on ground the Adverse Remarks recorded in his ACR for the period from 28.04.2017 to 31.12.2017 is hereby rejected and remarks maintained.

Sd/-
Dr. Ishtiaq Ahmad, PSP/PPM
Addl: IGP/HQrs:
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

Endst: No. & date even.

Copy of above is forwarded for information and necessary action, to the:-

1. Regional Police Officer, Bannu Region w/r to his memo: No. 52/CC, dated 18.07.2018. Necessary entry into this effect may also be made in his Duplicate Character Roll Dossier. The applicant may also please be informed accordingly.
2. District Police Officer, Bannu.
3. Supdt: "E-V" Branch, CPO.

DPo/Bxu/CC

To inform the official concerned and one copy placed in his character roll.

[Signature]

RPO/Bxu

29/12

[Signature]
(ZAIBULLAH KHAN)PSP
AIG/Establishment
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

Noted
Peshawar
Associate
Mag. Court
[Signature]